Docket No.2024728-7014812001 (02-234)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e the Application of:

Group Art Unit: 3739

Robert J. Garabedian, et al

Confirmation No.: 4498

Serial No.: 10/606,250

Examiner: Not-Yet-Assigned

Filed: June 24, 2003

For: COMPOUND LESION ALIGNMENT

DEVICE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003. Copies of other cited references are enclosed.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

> CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the Unites States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

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Information Disclosure Statement Filing Provision:

filed ui 1.491;	three monder § 1 or (3) be	OS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) on the filing date of the application, which is not a continued prosecution application .53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § efore the mailing of a first Office action on the merits; or (4) before the mailing of a first fter filing a request for continued examination under § 1.114. Thus, no fee is required.		
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.		
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.		
on the: § 1.311	merits, ł	OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action out before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR		
		The fee due under 37 CFR § 1.17(p) is submitted herewith.		
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.		
-	or a No	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR otice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A r 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted		
	1	STATEMENT UNDER 37 CFR § 1.97(e):		
\boxtimes	Items c	ontained in this IDS were first cited in any communication from a foreign patent office in		
a count	erpart fo	oreign application not more than three months prior to the filing of this IDS.		
	No iten	n contained in this IDS was cited in a communication from a foreign patent office in a		
counte	part for	eign application, and, to the knowledge of the person signing this statement after making		
reasona	easonable inquiry, no item of information contained in this IDS was known to any individual designated			
in 37 C	1 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.			

	PAYMENT AND/OR AUTHORIZATION	TO CHARGE FEES:				
	A check in the amount of is enclosed for the a	bove fee(s).				
	Please charge to Deposit Account No. 50-2518 for the above fee(s).					
	Although applicant believes no fee is required, the Commissioner is authorized to charge any required by the filing of these papers, and to credit any overpayment to Bingham McCutchen					
	Deposit Account No. 50-2518.					
	•	Respectfully submitted, BINGHAM McCUTCHEN LLP				
Dated:		David T. Burse				
BINGH	HAM McCUTCHEN LLP	Reg. No. 37,104				

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PATENT TRADEMARK OFFICE

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Complete if Known stitute for form 1449A/PTO Application Number 10/606,250 ÍNFORMATION DISCLOSURE Filing Date June 24, 2003 STATEMENT BY APPLICANT First Named Inventor Robert Garabedian Group Art Unit 3739 (use as many sheets as necessary) **Examiner Name** Not-Yet-Assigned 28-7014812001 (02-234) Sheet Attorney Docket Number

				FOREIGI	N PATENT DOCU	MENTS		
Evaminas	Cito	For	eign Patent Do	cument	Name of Patentee	Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No. ¹	Office ³	Number ⁴	Kind Code ⁵ (if known)	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T ₆
	1.	EP	1 080 680	A1	Arthrocare Corporation	03-07-2001		

		OTHER DOCUMENTS NON PATENT LITERATURE	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	2.	PCT International Search Report for PCT/US2004/011857, Applicant: Scimed Life Systems, Inc., Forms PCT/ISA/210 and 220, dated October 1, 2004 (9 pages)	
	3.	PCT Written Opinion of the International Search Authority for PCT/US2004/011857, Applicant: Scimed Life Systems, Inc., Form PCT/ISA/237, dated October 1, 2004 (8 pages)	
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Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark hee if English language Translation is attached.